

REMARKS/ARGUMENTS

Double Patenting

Claims 1-35 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-3, 8-31, 36-43, 45-46 and 48 of copending Application No. 09/608,022. Therefore please find enclosed a timely filed terminal disclaimer in compliance with 37 CFR 1.321(c). The conflicting application is commonly owned with the present application.

Claims

The Examiner rejected claims 1-35. By the present amendment claims 1 and 22 have been amended. Therefore claims 1-35 remain pending in the present application.

Claim Rejections – 35 USC § 103

Claims 1-15, 18-20, 22-31 and 34 were rejected under 35 USC 103(a) as being unpatentable over Wolff et al (US Patent 6,081,261) in view of Patterson, Jr. et al (US Patent 5,797,002). The rejection is respectfully traversed.

Wolff et al. disclose an electronic document handling system including a calendar book page with a bar code identifier (13), which identifier (13) specifies “the date (year, month, and day) and user I.D.” (Wolff et al. at col. 3, lines 45-46.) That is very different from the present invention that includes coded data on forms where the coded data itself identifies a unique location of each of a plurality of reference points on the form.

Further, Wolff et al disclose identifying locations in a calendar book using gyroscopes or accelerometers in a pen-instrument (91) (see, e.g., col. 7, lines 15-29). The coded data of the present invention, however, includes its own position information that explicitly informs a sensing device where the coded data are relative to a form. That makes complex gyroscopes and double integration of accelerometer data unnecessary.

To clarify the above distinction over the disclosure of Wolff et al, the present independent claims 1 and 22 have been amended to state that the coded data are indicative of “a plurality of reference points of the form, the coded data identifying a unique location of each of the reference points relative to the form.” Wolff et al disclose the use of only a single bar code identifier (13) that does not identify its own location relative to a form.

Support for the present amendments to the claims is found in the specification as originally filed at, for example, page 21, lines 3-10, where the sensing device is referred to as a “pen” and the coded data are referred to as “tags”:

“A location-indicating tag contains a tag ID which, when translated through the tag map associated with the tagged region, yields a unique tag location within the region. The tag-relative location of the pen is added to this tag location to yield the location of the pen within the region. This in turn is used to determine the location of the pen relative to a user interface element in the page description associated with the region. Not only is the user interface element itself identified, but a location relative to the user interface element is identified. Location-indicating tags therefore trivially support the capture of an absolute

pen path in the zone of a particular user interface element."

Patterson, Jr, et al disclose a data structure for use in a two-way wireless system for processing, for example, equity trades (col. 6, line 44, to col. 7, line 8). As part of that data structure, quote entry forms (350) and order entry forms (see Fig. 4) are displayed on a computer display screen (300). But the order entry forms of Patterson, Jr, et al are in electronic format and not printed. Thus the disclosure of Patterson, Jr, et al does not teach or suggest the use of coded data on printed paper forms as defined in the presently amended claims. Further, the Applicants assert that there are little or no technical similarities between the electronic forms of Patterson, Jr, et al and the printed paper forms of the present invention.

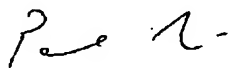
Support for the amendment concerning printed paper forms is found in the specification as originally filed at page 11, lines 21-26, where the printed paper forms of the present claims are referred to as "netpages":

"In its preferred form, the netpage system relies on the production of, and human interaction with, netpages. These are pages of text, graphics and images printed on ordinary paper, but which work like interactive web pages. Information is encoded on each page using ink which is substantially invisible to the unaided human eye. The ink, however, and thereby the coded data, can be sensed by an optically imaging pen and transmitted to the netpage system." (Emphasis added.)

The Applicants assert that the rejections of the remaining dependent claims are now moot in light of the above amendments to the independent claims. Thus the Applicants believe that the present application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

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